

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

THE STATE OF ARIZONA, et al.,

PLAINTIFFS,

v.

MERRICK GARLAND in his official capacity
as Attorney General of the United States of
America; et al.,

DEFENDANTS.

CIVIL ACTION NO. 6:22-cv-01130

PUBLIC DECLARATION OF ELIZABETH SCIONEAX

I, ELIZABETH SCIONEAX, declare as follows:

1. I am DEPUTY SUPERINTENDENT FOR FINANCE at the Louisiana Department of Education ("LDOE"). I am over the age of 18, and I have personal knowledge of the facts contained in this Declaration. I could competently testify to the contents of this Declaration if called upon to do so.

2. In the regular and ordinary course of its activities, LDOE creates and maintains records regarding students enrolled in Louisiana public schools and various financial calculations for the Minimum Foundation Program. Those records are created at or near the time of the associated event by – or from information transmitted by – someone with knowledge.

3. Attached as Exhibit 150 is a true and accurate summary of LDOE records reflecting the count of English Language Learners enrolled in Louisiana public schools.

4. Attached as Exhibits 151-155 are true and accurate summaries of LDOE records reflecting statistics about children enrolled in Louisiana public schools, broken down by school district.

5. Louisiana is obligated by its State Constitution to fund education pursuant to a formula adopted by the Louisiana Board of Elementary and Secondary Education (“BESE”), La. Const. art. VIII, Section 13, the mechanism for which is known as the Minimum Foundation Program (“MFP”). The MFP formula provides for a base amount of State funding per student, supplemented by additional state funding based on, *inter alia*, student characteristics. In each of FY2021-2022, FY2022-2023, and FY2023-2024, the base State funding was \$4,015 per student. One of the student characteristics that results in additional funding is “Economically Disadvantaged,” which includes “English Language Learner.” *See* LAC 28:1107(D) (defining “economically disadvantaged”).

6. Attached as Exhibit 156 is a true and accurate copy of a presentation produced in the ordinary course of LDOE’s business that provides an overview of the MFP program. Exhibit 156 notes that in FY2021-2022, the Economically Disadvantaged category received a 22% per student funding supplement. The Economically Disadvantaged category also received a 22% per student funding supplement in FY2022-2023 and FY2023-2024.

7. Attached as Exhibit 157 (MANUAL) is a spreadsheet calculating MFP funding for FY 2022-2023.

8. Attached as Exhibit 158 is an excerpt from Exhibit 157 showing Total MFP State Cost allocation for FY 2022-2023, by school district, as adjusted.

9. Attached as Exhibit 159 is an excerpt from Exhibit 157 showing the calculation of MFP Level 1 funding for FY 2022-2023, by school district, including the Economically Disadvantaged category.

10. Current and historic documents supporting the MFP calculation are posted on LDOE’s website at <https://www.louisianabelieves.com/resources/library/minimum-foundation-program>.

11. Further declarant sayeth naught.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA AND THE STATE OF LOUISIANA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in East Baton Rouge, this 20 day of January 2024.

